

OFFICE OF THE GOVERNOR
STATE OF MONTANA

BRIAN SCHWEITZER
GOVERNOR



CLERK OF THE JUDICIARY
Exhibit No. 1
Date 1-21-05
Bill No. SB 202
JOHN BOHLINGER
LT. GOVERNOR

House Bill 240/ Senate Bill 202
Human Rights Legislation

For the record, my name is John Bohlinger; I am the Lieutenant Governor of the State of Montana. I am here today to speak, as a proponent for Senate Bill 202, a Bill that will expand Montana's hate crime law to include physical or mental disability, gender and sexual orientation.

My support for this Bill and what it will attempt to accomplish comes from my belief in our fundamental human rights. As human beings, it is my belief that we as individuals, regardless of our physical or mental capacity, our gender or sexual orientation are entitled to protection from malicious intimidation or harassment.

People do not choose to be physically or mentally impaired, they do not choose their gender or their sexual orientation. We are what we

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are, as God created us and as a child of God are entitled to protection from harm.

Our laws are a written expression of our values. There was a time in our history that we allowed for mistreatment of people based on their religious beliefs, their race, their sex and in fact such discrimination was not only permitted but was codified in Montana Laws.

It is difficult for me to tell you this because I can still see in my minds eye my grandmother, who told me this story. She was 90 years old at the time, who told me that in the late 1800's, when she was a little girl, and an emigrant from France, my families home was attacked by the Klu Klux Klan, because we are Catholics and were not welcome in that community. Our State Government no longer allows for religious discrimination. We have come a long way and must continue to root out hate and teach tolerance.

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Hate crimes create fear in an entire group of people. In Billings in 1993, a Jewish family had their home assaulted because they were Jewish. The entire Jewish community felt assaulted and was fearful for their safety. My town responded by saying the entire community was assaulted and the Billings Gazette printed a full page colored menorah that we all placed in our windows. We stood in solidarity with our Jewish community.

Three years ago a young man from my town, who was employed as a janitor at a shopping center was severely beaten because he was mentally disabled. These sort of crimes should be punished under 45-4-221 that defines malicious intent relating to civil or human rights, which allows for sentence enhancement, with a punishment of imprisonment of not to exceed 5 years.

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Thank you for your consideration. Senate Bill 202 has the full support of the Schweitzer/Bohlinger administration, and it is our hope that your Committee will move this Bill forward.